

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

Dave & Buster's, Inc.

Plaintiff,

- against -

Case No. 1:21-cv-128

Andrew M. Cuomo, in his official capacity as Governor of New York,

Defendant.

**NOTICE OF MOTION AND MOTION FOR ADMISSION *PRO HAC VICE*  
OF BRIAN M. LIPSHUTZ**

PLEASE TAKE NOTICE that, pursuant to Local Rule 83.1(d) of the Local Rules of the United States District Court for the Northern District of New York, undersigned counsel for Plaintiff Dave & Buster's, Inc., hereby moves this Court for an Order for the admission of Brian M. Lipshutz to practice *pro hac vice* and appear as counsel for in the above-captioned matter.

As grounds for this Motion, and as set forth in the accompanying Registration Form, Petition for Admission to Practice, Declaration of Sponsoring Attorney, and Certificate of Good Standing, the undersigned states as follows:

1. Mr. Lipshutz is an associate at Paul, Weiss, Rifkind, Wharton & Garrison LLP, 2001 K Street, N.W., Washington, DC 20006-1047. His phone number is (202) 204-7379, and his e-mail address is [blipshutz@paulweiss.com](mailto:blipshutz@paulweiss.com).

2. Mr. Lipshutz is admitted to the District of Columbia Bar. He has been a member in good standing since November 14, 2016.

3. Mr. Lipshutz has never been subject to grievance proceedings or involuntary removal proceedings while a member of the bar of any state or federal court, and has

not been charged, arrested, or convicted of any criminal offense.

4. Mr. Lipshutz has not been admitted *pro hac vice* in this Court within the past two years.

5. Mr. Lipshutz has read the Local Rules of the Northern District of New York and will comply with the standards of practice set out therein.

6. I am a member in good standing of the Bar of the Northern District of New York, and Mr. Lipshutz will join as my co-counsel in the above-captioned case.

Dated: New York, NY  
February 5, 2021

PAUL, WEISS, RIFKIND,  
WHARTON & GARRISON LLP

By: /s/ Julia Tarver Mason Wood

Julia Tarver Mason Wood  
Bar Roll # 702455  
1285 Avenue of the Americas  
New York, NY 10019  
(212) 373-3000 (telephone)  
(212) 757-3990 (fax)  
jwood@paulweiss.com

*Attorney for Plaintiff  
Dave & Buster's, Inc.*

**CERTIFICATE OF SERVICE**

I, Julia Tarver Mason Wood, hereby certify that a true and correct copy of the foregoing document was electronically filed with the U.S. District Court for the Northern District of New York on this 4th day of February, 2021. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Dated: New York, NY  
February 5, 2021

PAUL, WEISS, RIFKIND,  
WHARTON & GARRISON LLP

By: /s/ Julia Tarver Mason Wood

Julia Tarver Mason Wood  
Bar Roll # 702455  
1285 Avenue of the Americas  
New York, NY 10019  
(212) 373-3000 (telephone)  
(212) 757-3990 (fax)  
jwood@paulweiss.com

*Attorney for Plaintiff  
Dave & Buster's, Inc.*